

FILED BY *[Signature]* D.C.

05 JUN 27 PM

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* D.C.

05 JUN 23 AM 9:47

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS
United States of America,

Robert R. Di Trolio
CLERK U.S. DIST. CT.
W.D. OF TN. MEMPHIS

Plaintiff,

vs.

Civil No. 04-3012-MIV

Six (6) Assorted Conveyances, with
All Appurtenances and Attachments
Thereon,

Ninety-Eight Thousand Eight Hundred
Ninety-Five Dollars (\$98,895.00) in
U.S. Currency,

Defendants.

*Granted.
Diane K. Henderson
U.S. Magistrate Judge
June 25, 2005*

**MOTION TO CONTINUE SCHEDULING CONFERENCE
PENDING THE OUTCOME OF GOVERNMENT'S MOTION
TO STAY ALL PROCEEDINGS**

COMES NOW the United States of America, by and through Terrell L. Harris, United States Attorney, and Christopher E. Cotten, Assistant United States Attorney for the Western District of Tennessee, and respectfully moves that this Honorable Court continue generally the scheduling conference in the above-styled case pending the outcome of the government's Motion to Stay All Proceedings. In support of this motion, the United States would show the following:

1. A scheduling conference in the above-styled case is currently set for June 30, 2005.
2. Claimant Major Grubb is the defendant in United States v. Grubb, No. 04-20310-Ma (W.D. Tenn.). Other claimants in this case are Connie McGaughy as the purported owner of the

defendant 1997 Ford Expedition, VIN 1FNBU18L1VLB85115, and American Savings Credit Union as the lienholder for the defendant 1997 BMW 740IL, VIN WBAGJ8325VDM03816.

2. This case was previously stayed on Grubb's motion without opposition from the government. The government has filed a motion requesting that the case remain stayed pending judgment in Mr. Grubb's criminal case. Ms. McGaughy opposes this motion; Mr. Grubb and American Savings Credit Union do not.

3. Accordingly, the government requests that the scheduling conference be continued generally until this motion is resolved.

4. Government counsel has consulted with Mr. Bruce I. Griffey and Mr. Roger Stone, attorneys for the claimants, who do not oppose the requested continuance.


CONCLUSION

For the foregoing reasons, the United States respectfully requests that the scheduling conference in the above-styled case be continued generally pending the outcome of the government's Motion to Stay All Proceedings.

Respectfully submitted,

TERRELL L. HARRIS
United States Attorney

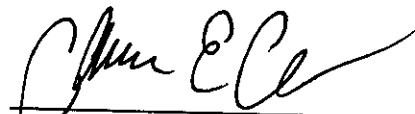
By:


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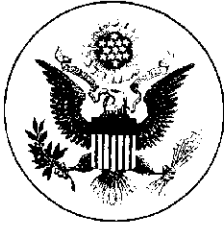
CERTIFICATE OF SERVICE

I, Christopher E. Cotten, Assistant United States Attorney for the Western District of Tennessee, hereby certify that copies of the foregoing motion have been sent, first class postage pre-paid, to Mr. Bruce I. Griffey and Mr. Roger Stone, attorneys for the claimants.

This 23rd day of June, 2005.



CHRISTOPHER E. COTTEN
Assistant United States Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 24 in case 2:04-CV-03012 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT